

From: Roland Dubois
To: Meg McCarthy
Cc: Barry Garelick; David Korotney; John Hannon; John Weihrauch; Megan Bracht; Paul Argyropoulos; Paul Machiele; Robert Larson
Subject: Re: Rulemaking timing has become an issue
Date: 04/07/2010 11:22 AM

Two thoughts on the critical issues.

Ex. 5 Deliberative Process (DP)

8.3. What types of engineers are qualified to conduct the third party engineering review of a domestic renewable fuel production facility, as required in 80.1450(b)(2)?

A: The final regulations in 80.1450(b)(2)(i)(A) state that domestic renewable fuel production facilities must have an engineering review conducted by a “Professional Chemical Engineer.” For foreign facilities, 80.1450(b)(2)(i)(B) provides that the review should be conducted by “a licensed professional engineer or foreign equivalent who works in the chemical engineering field.”

Ex. 5 Deliberative Process (DP)

▼ Meg McCarthy---04/07/2010 10:15:48 AM---An additional issue that may be problematic if tech amendments are not published by July 1: We are m

From: Meg McCarthy/DC/USEPA/US
To: Paul Argyropoulos/DC/USEPA/US@EPA
Cc: Barry Garelick/DC/USEPA/US@EPA, David Korotney/AA/USEPA/US@EPA, John Hannon/DC/USEPA/US@EPA, John Weihrauch/DC/USEPA/US@EPA, Megan Bracht/DC/USEPA/US@EPA, Paul Machiele/AA/USEPA/US@EPA, Robert Larson/AA/USEPA/US@EPA, Roland Dubois/DC/USEPA/US@EPA
Date: 04/07/2010 10:15 AM
Subject: Re: Rulemaking timing has become an issue

Ex. 5 Deliberative Process (DP)

▼ Paul Argyropoulos---04/07/2010 09:45:24 AM---I heard same thing about OECA not supporting enf descretion. However, this is an area Margo could h

From: Paul Argyropoulos/DC/USEPA/US
To: David Korotney/AA/USEPA/US@EPA
Cc: Barry Garelick/DC/USEPA/US@EPA, John Hannon/DC/USEPA/US@EPA, John Weihrauch/DC/USEPA/US@EPA, Meg McCarthy/DC/USEPA/US@EPA, Megan Bracht/DC/USEPA/US@EPA, Paul Machiele/AA/USEPA/US@EPA, Robert Larson/AA/USEPA/US@EPA, Roland Dubois/DC/USEPA/US@EPA
Date: 04/07/2010 09:45 AM
Subject: Re: Rulemaking timing has become an issue

Ex. 5 Deliberative Process (DP)

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▼ David Korotney---04/07/2010 09:42:55 AM---Enforcement discretion isn't really an option. We already raised it with OECA and they pushed back

From: David Korotney/AA/USEPA/US
To: Robert Larson/AA/USEPA/US@EPA
Cc: John Hannon/DC/USEPA/US@EPA, Megan Bracht/DC/USEPA/US@EPA, Paul Argyropoulos/DC/USEPA/US@EPA, Paul Machiele/AA/USEPA/US@EPA, Roland Dubois/DC/USEPA/US@EPA, Barry Garelick/DC/USEPA/US@EPA, Meg McCarthy/DC/USEPA/US@EPA, John Weihrauch/DC/USEPA/US@EPA
Date: 04/07/2010 09:42 AM
Subject: Re: Rulemaking timing has become an issue

Ex. 5 Deliberative Process (DP)

▼ Robert Larson---04/07/2010 09:31:53 AM---These might be eligible for enforcement discretion if not in place by July 1. We have responded via

From: Robert Larson/AA/USEPA/US
To: David Korotney/AA/USEPA/US@EPA, Roland Dubois/DC/USEPA/US@EPA, John Hannon/DC/USEPA/US@EPA
Cc: Megan Bracht/DC/USEPA/US@EPA, Paul Argyropoulos/DC/USEPA/US@EPA, Paul Machiele/AA/USEPA/US@EPA
Date: 04/07/2010 09:31 AM
Subject: Re: Rulemaking timing has become an issue

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

▼ David Korotney---04/07/2010 09:01:16 AM---Megan has been out, and is supposedly back today. However, based on the briefing we gave Margo on M

From: David Korotney/AA/USEPA/US
To: Robert Larson/AA/USEPA/US@EPA
Cc: Megan Bracht/DC/USEPA/US@EPA, Paul Argyropoulos/DC/USEPA/US@EPA, Paul Machiele/AA/USEPA/US@EPA
Date: 04/07/2010 09:01 AM
Subject: Re: Rulemaking timing has become an issue

Ex. 5 Deliberative Process (DP)

▼ Robert Larson---04/07/2010 08:56:27 AM---Anyone have specifics on what items are critical to get in place by July 1 ?

From: Robert Larson/AA/USEPA/US
To: Paul Machiele/AA/USEPA/US@EPA
Cc: David Korotney/AA/USEPA/US@EPA, Megan Bracht/DC/USEPA/US@EPA, Paul

Argyropoulos/DC/USEPA/US@EPA

Date: 04/07/2010 08:56 AM

Subject: Re: Rulemaking timing has become an issue

Anyone have specifics on what items are critical to get in place by July 1 ?

▼ Paul Machiele---04/06/2010 10:24:39 PM---Yes, there are 2 or 3 that are time critical Sent by EPA Wireless E-Mail Services

From: Paul Machiele/AA/USEPA/US

To: Robert Larson/AA/USEPA/US@EPA, Megan Bracht/DC/USEPA/US@EPA

Cc: David Korotney/AA/USEPA/US@EPA, Paul Argyropoulos/DC/USEPA/US@EPA

Date: 04/06/2010 10:24 PM

Subject: Re: Rulemaking timing has become an issue

Yes, there are 2 or 3 that are time critical
Sent by EPA Wireless E-Mail Services

▼ Robert Larson

----- Original Message -----

From: Robert Larson

Sent: 04/06/2010 04:17 PM EDT

To: Megan Bracht/

Cc: David Korotney; Paul Machiele; Paul Argyropoulos

Subject: Rulemaking timing has become an issue

Ex. 5 Deliberative Process (DP)

Need response Wednesday.